

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Marcel BALLY et al.

Application No.: 10/727,017

Filed: June 7, 2002

For: CELL PENETRATING THERAPEUTIC  
AGENTS

Confirmation No.: 4423

Art Unit: 1645

Examiner: Rodney P. Swartz, Ph. D.

**REPLACEMENT AMENDMENT UNDER 37 C.F.R. § 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to an Office action herein, mailed 19 April 2007, time for response to which was set to expire 19 July 2007. A petition for an extension of time of one month is attached hereto along with the required fee. A response was submitted on 16 May 2007 within two months of the mailing date, but contained obvious word processing errors which elicited an Advisory Action mailed 9 July 2007.

Applicants understand from the Advisory Action that the previous response was not entered and thus this response is intended to replace it. It is identical in form to that previously submitted except for correction of the typographical errors in Claims 21-25, 28-31 and 34.

Applicants very much appreciate the consideration given their undersigned representative in a telephone interview on 16 May 2007 and the understanding that was reached in the interview.

The considered claims, claims 1-31 and 34-35, were rejected, in the Office action, but agreement as to the following amendment was reached during the interview. Reconsideration in light of this amendment is respectfully requested.